

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HO *et al.*

Appl. No.: 09/960,244

Filed: September 21, 2001

For: **Cell Populations Which
Co-Express CD49c and CD90**

Confirmation No.: 4326

Art Unit: 1651

Examiner: LANKFORD, Jr., Leon B.

Atty. Docket: 2560.0020000/JAG/D-S

**Eleventh Supplemental Information Disclosure Statement
Under 37 C.F.R. § 1.97(c)**

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith references in furtherance of a request made by the Examiner during Applicant's interview with the Examiner on April 25, 2007. In particular, during that interview Applicants presented the Examiner with recent news publications in which serious questions have been raised with respect to the integrity and reliability of data in U.S. Patent 7,015,037, (which the Examiner has alleged as prior art against Applicant's present application). During said interview, the Examiner recommended that Applicants submit copies of said news publications (which Applicants have done). See, Amendment and Reply Under 37 C.F.R. §1.111, submitted May 18, 2007, page 14, 1st paragraph. Applicants herein, now submit additional publications which are also believed to be of relevance with respect to this same issue.

Listed on accompanying IDS Form, PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Eleventh Supplemental Information Disclosure Statement is a continuation of the

numbering in Applicants' Tenth Supplemental Information Disclosure Statement filed on May 18, 2007 in connection with the above-captioned application. Copies of documents **NPL5** to **NPL12** are submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038

Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: July 9, 2007

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